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FILED
HARRISBURG, PA

SEP 16 2002

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MARY E. DIANDREA, CLERK
Per [Signature]
Deputy Clerk

IN RE:) CRIMINAL NO. 1:00-CR-004
DESTRUCTION OF ONE H&K MODEL 926,) (Judge Kane)
.22 CALIBER PISTOL, WITH ALTERED)
SERIAL NO.)

GOVERNMENT'S MOTION FOR DESTRUCTION OF EVIDENCE

AND NOW, this 16th day of September 2002, comes Thomas A. Marino, United States Attorney, by William A. Behe, Assistant United States Attorney, who files this Motion for Destruction of Evidence and in support thereof, alleges the following:

1. On or about December 14, 1999, a search was conducted at 840-E Kuhn, Fording Road, East Berlin, PA 17316, pursuant to an investigation being conducted by the Drug Enforcement Administration in the Middle District of Pennsylvania.

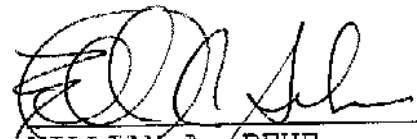
2. During the course of the search, the following items were seized: (a) one H&K Model 926, .22 caliber pistol with obliterated serial number.

3. The matter giving rise to this search of the aforementioned residence has been concluded and the Custodian of Evidence of the Drug Enforcement Administration requested the United States Attorney's Office to obtain an Order of Destruction for the aforementioned weapon. To that end, this Motion is filed.

WHEREFORE, it is respectfully requested that this Honorable Court enter an Order authorizing the United States Marshal Service to destroy the aforementioned weapon.

Respectfully submitted,

THOMAS A. MARINO
United States Attorney



WILLIAM A. BEHE
Assistant U.S. Attorney

Dated: September 16, 2002